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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/699,402	10/31/2000	Masahiro Matsuo	3064NG/49341	6990

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Crowell & Moring LLP
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Washington, DC 20044-4300

EXAMINER

MOORTHY, ARAVIND K

ART UNIT	PAPER NUMBER
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2131

DATE MAILED: 04/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/699,402

Applicant(s)

MATSUO, MASAHIRO

Examiner

Aravind K. Moorthy

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-20,22 and 23 is/are pending in the application.
- 4a) Of the above claim(s) 1 and 21 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-20,22 and 23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 October 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is in response to the amendment filed on 4 February 2005.
2. Claims 2-20, 22 and 23 are pending in the application.
3. Claims 2-20, 22 and 23 have been rejected.
4. Claims 1 and 21 have been cancelled.

Response to Arguments

5. Applicant's arguments with respect to claims 2-20, 22 and 23 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. **Claims 4, 5, 7, 14, 15, 18 and 19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

As to claims 4 and 7, they both depend upon claim 1. Claim 1 is now a cancelled claim. A dependent claim cannot depend upon a cancelled independent claim. For the sake of examination, the examiner assumes that claims 4 and 7 depend upon independent claim 2.

Any claims not directly addressed are rejected on the virtue of their dependency.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

7. Claims 2-5, 7-11 and 16-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Allport U.S. Patent No. 6,882,299 B1.

As to claim 2, Allport discloses a network apparatus comprising:

a main device linked to a network represented by the Internet [column 8, lines 33-60], and

a portable remote controller device for remotely controlling the main device by means of communication, wherein the remote controller device includes:

access destination specifying means for specifying an access destination to the main device [column 24 line 58 to column 25 line 5];

display means for displaying information sent from the main device; [column 24 line 58 to column 25 line 5]

identification code storage means for storing an identification code identifying itself; the access destination specifying means serving as means for sending the identification code [column 9, lines 9-23]; and the main device includes:

access means for accessing the access destination specified by the remote controller device and obtaining information therefrom [column 28 line 64 to column 29 line 34];

information sending means for sending the information obtained by the access means to the remote controller device [column 28 line 64 to column 29 line 34]; and

access destination storage means for storing the identification code of the remote controller device and the access destination in a one-to-one correspondence [column 9, lines 9-23];

the access means serving as means for accessing the access destination corresponding to the identification code received from the remote controller device [column 9, lines 9-23].

As to claim 3, Allport discloses that the access destination storage means serves as means for storing a mail address as the access destination [column 3, lines 25-41].

As to claims 4, 8 and 9, Allport discloses that the display means of the remote controller device includes: title displaying means for displaying a title of the information sent from the main device [column 9, lines 48-61].

As to claims 5, 10 and 11, Allport discloses that the display means of the remote controller device serves as means for, when the title displayed on the title display means is specified, displaying the information corresponding to the title specified [column 9, lines 48-61].

As to claims 7 and 16-20, Allport discloses that the main device and the remote controller device communicate with each other by means of infrared rays [column 19, lines 53-60].

As to claim 6, Allport discloses a network apparatus, comprising:

a main device linked to a network represented by the internet, and a portable remote controller device for remotely controlling the main device by means of communication, wherein the remote controller device includes [column 8, lines 33-60]:

access destination specifying means for specifying an access destination to the main device [column 24 line 58 to column 25 line 5];
and

display means for displaying information sent from the main device [column 24 line 58 to column 25 line 5], and wherein the main device includes:

access means for accessing the access destination specified by the remote controller device and obtaining information therefrom [column 28 line 64 to column 29 line 34]; and

information sending means for sending the information obtained by the access means to the remote controller device [column 28 line 64 to column 29 line 34] wherein:

the information sending means of the main device sends the information to the remote controller device at an information sending destination after appending the identification code of the remote controller device to the information [column 24 line 58 to column 25 line 5]; and

the remote controller device further includes display disabling means for, when the information sent from the main device to the display means is not appended with its own identification code, disabling display of the information [column 24 line 58 to column 25 line 5].

As to claims 12-15, Allport discloses the network apparatus, wherein:

the information sending means of the main device sends the information to the remote controller device at an information sending destination after appending the identification code of the remote controller device to the information [column 24 line 58 to column 25 line 5]; and

the remote controller device further includes display disabling means for, when the information sent from the main device to the display means is not appended with its own, identification code, disabling display of the information [column 24 line 58 to column 25 line 5].

8. Claims 22 and 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Kamada U.S. Patent No. 6,772,394 B1.

As to claim 22, Kamada discloses a method for accessing information over a network comprising:

receiving, by a main device from a portable remote controller device a request for information [column 5, lines 7-25];

obtaining, by the main device, the requested information [column 5, lines 30-54];

determining whether an output to a display device coupled to the main device is allowed [column 7, lines 34-48];

disabling the output to the display device when it is determined that the output is not allowed [column 7, lines 34-48];

providing the requested information to the portable remote controller device [column 7, lines 34-48];

receiving, by the main device from the portable remote controller device, a display switching signal [column 7, lines 49-58]; and

storing, by the main device, a setting for the portable remote controller device based on the display switching signal, wherein the determination of

whether an output to the display device coupled to the main device is allowed is based on the stored setting [column 8, lines 27-48].

As to claim 23, Kamada discloses the method, comprising:

storing, by the main device, a setting for another portable remote controller device based on receipt of a display switching signal from the another portable remote controller device, wherein whether an output to the display device coupled to the main device is allowed for information requested by the another portable remote controller device is based on the stored setting for the another portable remote controller device [column 8, lines 27-48].

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aravind K. Moorthy whose telephone number is 571-272-3793. The examiner can normally be reached on Monday-Friday, 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Aravind K Moorthy 
April 21, 2005


AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100